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4 UNITED STATES DISTRICT COURT
5 DISTRICT OF NEVADA
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7 UNITED STATES OF AMERICA,

Case No. 2:15-cr-0285-APG-PAL

8 Plaintiff,

ORDER

9 v.

(Emg Mot Transport – ECF No. 140 & 142)

10 CHARLES BURTON RITCHIE and
BENJAMIN GALECKI,

11 Defendant.
12

13 This matter is before the court on defendant Benjamin Galecki's Emergency Motion for an
14 Order Directing the United States Marshals Service to Expedite the Transport of Defendant (ECF
15 No. 140). Co-defendant Charles Burton Ritchie filed a separate motion (ECF No 142).

16 The court held a hearing on September 28, 2017 on Galecki's motion for appointment of
17 substitute counsel and continue the trial date. Both motions were filed by the defendant who was
18 then represented by appointed CJA counsel, and involved Mr. Galecki's dissatisfaction with the
19 lack of recent communication with counsel. Mr. Galecki is currently in BOP custody in Alabama,
20 but was transported to this district for trial. At calendar call the district judge granted the
21 defendants' motions to continue the trial. Mr. Galecki was scheduled to be transported back to
22 BOP custody on September 28, 2017; however, because of his concerns that he had not had enough
23 time to discuss his case with appointed counsel the court directed the USMS to delay his
24 transportation until the following day to enable him to meet with his lawyer. Mr. Galecki
25 subsequently retained counsel and the court has approved the substitution.

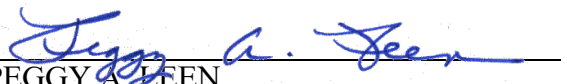
26 Galecki's motion asks that the court direct the USMS to expedite his return because he has
27 appealed his conviction in the District of Alabama case and his opening brief is due November 6,
28 2017, and he needs to communicate with his Alabama counsel to assist in preparing his brief.

1 Ritchie's motion states he wants to return as expeditiously as possible because all the materials he
2 needs for his defense are at Talledega where his family is able to visit him. The court contacted
3 the United States Marshal Service who advises the court that arrangements have been made to
4 transport Mr. Galecki as expeditiously as possible consistent with the Justice Prisoner & Alien
5 Transportation System (JPATS) flight schedule.

6 Having reviewed and considered the matter,

7 **IT IS ORDERED** that Emergency Motions for an Order Directing the United States
8 Marshals Service to Expedite the Transport of Defendant (ECF No. 140 & 142) are Granted to the
9 extent the court has inquired and determined that the USMS has made arrangements to have the
10 defendants transported.

11 DATED this 20th day of October, 2017.

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14 PEGGY A. LEEN
UNITED STATES MAGISTRATE JUDGE
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